

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DIMAS SANTIAGO,</b>	:	<b>CIVIL ACTION NO. 1:13-CV-749</b>
<b>Plaintiff</b>	:	
	:	<b>(Judge Conner)</b>
<b>v.</b>	:	
	:	
<b>ADAM SAUL, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 13th day of August, 2013, upon consideration of the Report and Recommendation (Doc. 7) and Supplemental Report and Recommendation (Doc. 8) of United States Magistrate Judge Thomas M. Blewitt, recommending that petitioner's Habeas Petition (Doc. 1) be dismissed without prejudice to re-file after he exhausts his state court remedies, and that petitioner's *in forma pauperis* be granted, and, following an independent review of the record, and noting that petitioner filed objections<sup>1</sup> to the reports (Docs. 7, 8) on May 6, 2013, and the court finding Magistrate Judge Blewitt's analysis to be thorough and well-reasoned, and the court finding the objections to be without merit and squarely addressed by Magistrate Judge Blewitt's reports (Doc. 7, 8), it is hereby ORDERED that:

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<sup>1</sup> Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at \*3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at \*6 (M.D. Pa. Sept. 8, 2008)).

1. The Report and Recommendation (Doc. 7) and Supplemental Report and Recommendation (Doc. 8) of Magistrate Judge Blewitt are ADOPTED.
2. Petitioner's *in forma pauperis* motion (Doc. 4) is GRANTED solely for the purpose of filing this case.
3. Petitioner's habeas petition (Doc. 1) is DISMISSED without prejudice to re-file after petitioner exhausts his state court remedies with respect to his claims.
4. The Clerk of Court is directed to CLOSE this case.
5. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge